

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GRANITE STATE INSURANCE	§	
COMPANY, AS SUBROGEE OF 4G	§	
METALS, INC. D/B/A SUNSHINE	§	
RECYCLING	§	
	§	
v.	§	CASE NO.:
	§	
CHAUCER SYNDICATE 1084 AT	§	
LLOYD'S	§	

**DEFENDANT CHAUCER SYNDICATE 1084 AT LLOYD'S
NOTICE OF REMOVAL OF CLAIMS**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW Defendant in the above styled case, **CHAUCER SYNDICATE 1084 AT LLOYD'S**, and gives notice of removal of this severed civil action from the 269th Judicial District Court, Harris County, Texas, to this Court:

1. The Court entered its order of severance regarding the underlying state Court action severed into Case No. 2018-70481-A, brought by Plaintiff **GRANITE STATE INSURANCE COMPANY, AS SUBROGEE OF 4G METALS, INC. D/B/A SUNSHINE RECYCLING** against Defendant **CHAUCER SYNDICATE 1084 AT LLOYD'S**, on April 7, 2020, thereby creating a complete diversity of citizenship as set forth in detail below. Therefore, this Notice for Removal is timely filed under 28 U.S.C. §1446(b) within 30 days after the receipt of said Order.

2. This action is one of a civil nature for subrogation by Plaintiff, as subrogee of its insured as a result of alleged losses caused by alleged breach of an insurance contract by

Defendant to its subrogor related to losses in Harris County, Texas under a Marine Cargo Insurance policy.

3. Plaintiff is a foreign insurance company located in the United States and doing business in the State of Texas.

4. Defendant is an overseas and thus foreign insurance company doing business in the State of Texas.

5. Defendant removes this case to federal court because a complete diversity of citizenship exists among the parties.

6. The matter seeks monetary relief over \$75,000.00, excluding interest and costs, giving rise to original federal court jurisdiction pursuant to 28 U.S.C. §1332.

7. Venue is proper in this district under 28 U.S.C. §1441(a) because the acts or omissions allegedly occurred in this district and the state court where the suit has been pending is located in this district.

8. The United States District Court has original jurisdiction under 28 U.S.C. §1332. This action is removable under 28 U.S.C. §1441(a) and (b).

9. Defendant will promptly file a copy of this Notice of Removal with the clerk of the state court where the suit has been pending.

12. Pursuant to Local Rule 81, Defendant attaches the following along with an Index of Documents:

Document Name	Date of Original Filing
Plaintiff's Fourth Amended Petition and Request for Disclosure	07/19/19
Citation served on Chaucer Syndicate 1084 at Lloyd's	08/08/19
Defendant Chaucer Syndicate 1084 at	09/24/19

Lloyd's Amended Original Answer and Affirmative Defenses to Plaintiff's Fourth Amended Petition and Request for Disclosure	
Plaintiff's Fifth Amended Original Petition and Request for Disclosure	10/18/19
Plaintiff's Sixth Amended Original Petition and Request for Disclosure	10/25/19
Plaintiff's Seventh Amended Original Petition and Request for Disclosure	11/25/19
Defendant Chaucer Syndicate 1084 at Lloyd's Second Amended Original Answer and Affirmative Defenses to Plaintiff's Seventh Amended Petition and Request for Disclosure	11/26/19
Defendant Chaucer Syndicate 1084 at Lloyd's Rule 41 Motion to Sever, and proposed Order	02/28/20
Texas Terminals, L.P.'s Response to Defendant Chaucer Syndicate 1084 Lloyd's Rule 41 Motion to Sever	03/12/20
Amended Notice of Submission on Defendant Chaucer Syndicate 1084 at Lloyd's Rule 41 Motion to Sever	03/17/20
Order on Defendant Chaucer Syndicate 1084 at Lloyd's Rule 41 Motion to Sever	04/07/20
Defendant Texas Terminals L.P.'s Traditional and No-Evidence Motion for Summary Judgment	09/11/2019
Exhibit A	09/11/2019
Exhibit B	09/11/2019
Exhibit C	09/11/2019
Exhibit D	09/11/2019
Exhibit E	09/11/2019
Exhibit F	09/11/2019
Exhibit G	09/11/2019
Exhibit H	09/11/2019
Exhibit J	09/11/2019
Exhibit K	09/11/2019
Exhibit L	09/11/2019
Exhibit M	09/11/2019
Exhibit N	09/11/2019
Exhibit O	09/11/2019

Exhibit P	09/11/2019
Exhibit Q	09/11/2019
Exhibit R	09/11/2019
Exhibit S	09/11/2019
Exhibit T	09/11/2019
Plaintiff's Motion to Continue Summary Judgment Hearing and Subject Thereto, Objections to Texas Terminals L.P.'s Summary Judgment Evidence and Response to Texas Terminals L.P.'s Traditional and No-Evidence Motions for Summary Judgment	10/18/2019
Exhibit 1	10/18/2019
Exhibit 2	10/18/2019
Exhibit 3	10/18/2019
Exhibit 4	10/18/2019
Exhibit 5	10/18/2019
Exhibit 6	10/18/2019
Exhibit 7	10/18/2019
Exhibit 8	10/18/2019
Order signed Granting Trial Continuance	10/24/2019
Trial Preparation Order	10/25/2019
Docket Control Order	10/25/2019
Joint Motion for Continuance and for Entry of Amended Docket Control Order	03/27/2020
Exhibit A	03/27/2020
Order signed Granting Trial Continuance	04/14/2020
Docket Sheet from Case No. 2018-70481 (A)	4/22/2020
Civil Cover Sheet	
Disclosure Statement under Fed. R. Civ. P. 7.1	
list of the names, addresses, and telephone numbers of all counsel who have appeared in this action and their respective parties	

WHEREFORE, Defendant requests that the above-described action now pending in the 269th Judicial District Court, Harris County, Texas be removed to this Honorable Court.

Respectfully submitted:

CHAFFE MCCALL, LLP

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**ATTORNEYS FOR DEFENDANT,
CHAUCER SYNDICATE 1084 AT LLOYD'S**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon all counsel of record by placing a copy of same in the United States mail, certified, return receipt requested, facsimile, electronically, and/or hand delivery on this 6th day of May, 2020, as follows:

Loren R. Smith
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**Counsel for Plaintiff, Granite State Insurance Company,
as Subrogee of 4G/5G Metals, Inc. d/b/a Sunshine Recycling**

/s/ John M. Ribarits
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